

The Honorable Robert S. Lasknik

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

<p>DANIELLE LLERA,</p> <p>Plaintiff,</p> <p>v.</p> <p>TECH MAHINDRA (AMERICAS) INC., a Delaware Corporation,</p> <p>Defendant.</p>	<p>Case No.: 2:19-cv-00445-RSL</p> <p><b>JOINT STIPULATED MOTION TO EXTEND DISCOVERY DEADLINE</b></p> <p>NOTE ON MOTION CALENDAR: December 28, 2021</p>
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Plaintiff Danielle Llera (“Plaintiff”) and Defendant Tech Mahindra Americas, Inc. (“TM”) (collectively the “Parties”), by and through their respective undersigned counsel, pursuant to the Federal Rules of Civil Procedure and Local Rules, hereby stipulate and agree as follows:

WHEREAS, on November 10, 2021, the Court issued a Fourth Amended Scheduling Order (“Order”) requiring the Parties to complete all fact discovery by February 6, 2022. (Dkt. No. 120.) Applicable law provides that the Order may only be modified upon a showing of good cause.

WHEREAS, on or about June 11, June 21, June 29, and November 8, 2021, the Court ruled on the Parties’ four pending discovery motions, including Plaintiff’s motions to compel and TM’s

JOINT STIPULATED MOTION TO  
EXTEND DISCOVERY DEADLINE - 1  
Case No. 2:19-cv-00445-RSL

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1 motion for protective order. (Dkt. Nos. 99, 101, 102, and 118.) The Court's discovery order did not  
2 require TM to produce responsive information or documents by any specific date prior to the  
3 discovery cut-off.

4 WHEREAS, in the weeks that followed the Court's discovery orders, the Parties conferred  
5 in good faith regarding the timing of TM's additional production of information and documents.  
6 The meet-and-confer process included several Zoom conference calls and the exchange of multiple  
7 emails.

8 WHEREAS, as part of the good faith discussions between the Parties, on or about Friday,  
9 December 10, 2021, TM's counsel committed in writing to providing the outstanding information  
10 referenced in the Court's discovery orders by January 7, 2022. Additionally, TM produced  
11 additional documents and supplemented its responses to several Requests for Production and  
12 Interrogatories.

13 WHEREAS, also on December 10, 2021, Plaintiff's counsel of record asked for a 30-day  
14 extension of the discovery cut-off to allow them sufficient time to properly review TM's  
15 forthcoming information and notice follow-up depositions.

16 WHEREAS, on Monday, December 13, 2021, counsel for TM responded, stating that a  
17 discovery extension warranted a call to discuss the implications of moving the date for the overall  
18 timing of the case and the Parties' goal of moving this case forward expeditiously.

19 WHEREAS, on Tuesday, December 14, 2021, the Parties met and conferred about a  
20 potential extension of the discovery cut-off and did not reach an agreement. The Parties now realize  
21 there was a misunderstanding during the conversation. In particular, TM's counsel left the call with  
22 the impression that the Parties had not yet exhausted the meet-and-confer process and there were  
23 several potential avenues for informal resolution, one of which included stipulating to the extension  
24 if the need arose. By contrast, Plaintiff's counsel left the call with the impression that TM did not  
25 grant an extension.

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JOINT STIPULATED MOTION TO  
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1 WHEREAS, on Thursday, December 16, 2021, Plaintiff filed a Motion to Compel  
2 (“Motion”) asking this Court to confirm what TM’s counsel had already committed to doing;  
3 namely, providing outstanding information and documents by January 7, 2022. (Dkt. No. 121.)  
4 Further, the Motion requested this Court to extend the discovery deadline to March 8, 2022, given  
5 that TM’s counsel had refused to agree to an extension.

6 WHEREAS, shortly after the filing of the Motion, the Parties’ counsel of record again met-  
7 and-conferred, came to understand there had been a miscommunication during their previous call,  
8 and realized the Motion had been filed prematurely. Still, counsel have been working cooperatively  
9 and wish to continue doing so.

10 WHEREAS, the Parties have concluded that extending the discovery cut-off deadline to  
11 March 8, 2022 will be useful to allow Plaintiff to review and follow up on the information and  
12 documents that TM will be producing on or before January 7, 2022, including but not limited to  
13 scheduling the follow-up depositions of two previously deposed witnesses.

14 WHEREAS, at present, neither party intends to request a continuance of any other  
15 deadlines, including the current dispositive motion deadline of March 8, 2022. Nevertheless, if  
16 either party later deems such an extension is advisable, the other party will not oppose any request  
17 for an extension that does not exceed two weeks.

18 WHEREAS, the Parties make this request in good faith and not for the purpose of  
19 unwarranted delay or any other improper purpose;

20 NOW THEREFORE, the Parties, having shown good cause, hereby move the Court to  
21 extend the deadline to complete discovery to March 8, 2022.

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JOINT STIPULATED MOTION TO  
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1 IT IS SO STIPULATED:

2 **BARRAN LIEBMAN LLP**

3 Dated: December 28, 2021

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10 Dated: December 28, 2021

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16 Attorneys for Defendant Tech Mahindra (Americas) Inc.

17 **BEAN LAW GROUP**

18 Dated: December 28, 2021

19 By: s/Matthew J. Bean  
20 Matthew J. Bean, WSBA #23221  
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24 **LAW OFFICES OF ALEX J. HIGGINS**

25 Dated: December 28, 2021

26 By: s/Alex J. Higgins  
Alex J. Higgins, WSBA #20868  
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Attorneys for Plaintiff Danielle Llera

IT IS SO ORDERED.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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Robert S. Lasknik  
United States District Judge

JOINT STIPULATED MOTION TO  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 28th day of December, 2021, I caused the foregoing **JOINT STIPULATED MOTION TO EXTEND DISCOVERY DEADLINE** to be:

☒ electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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